

Remarks

For at least the reasons presented herein, all claims are believed to be in condition for allowance. Favorable reconsideration and allowance are respectfully requested. Claims 1, 26 and 28 are hereby amended without prejudice. Claims 1-13, 15-24 and 26-29 are pending for examination. Claims 1, 26 and 28 have been hereby amended.

The informalities of claims 1, 26 and 28 have been rectified by the amendment and Applicant respectfully requests withdrawal of the objection thereto.

Claims 28-29 stand rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. According to the Examiner, the claims fail to recite sufficient structure for performing the recited function. No explanation was given with respect to what particular function that is not provided for by the specification, but these claims were also rejected under 35 U.S.C. §112, second paragraph as being allegedly indefinite, and specific examples were given therewith. Accordingly, Applicant addresses both §112 rejections assuming, without guidance showing otherwise, that the rejections were directed to the same claim limitations.

According to the Examiner, there is no structure in the specification that corresponds to the claim limitations "means for receiving", "means for storing", and "means for integrating." Applicant respectfully disagrees. For example, without limitation, Figure 1 shows data warehouse 16 connected to two computers 10 and 12 (paragraphs [0032]-[0033]). Non-limiting examples of means for receiving are thus the connections 18 and 20 (two way communication lines). The possible nature of the connectable computers 10 and 12 is further explained in paragraph 35.

The data warehouse 16 and corresponding description in paragraph 33 shows that the warehouse includes a storage module 24, thus showing one non-limiting example of a means for storing.

Finally, the database is shown to be a non-limiting example of a means for integrating the vehicle specific attributes (paragraph [0033]) and accessory sub-system 98 and vehicle personalization analyst (shown in Figure 6) in communication with the data warehouse 56 can facilitate generation of reports related to customer vehicle personalization and transmission of emails containing directed advertising materials based on customer personalization data (paragraph [0048]).

Thus, these non-limiting examples alone show sufficient structure and definition for meeting the requirements of §112, and Applicant respectfully requests withdrawal of the rejection.

Claims 1-7, 9-10, 13, 15, 17-18 and 26-29 stand rejected under 35 U.S.C. §102(b) as being anticipated by Jones et al. (U.S. App. Pub. 2002/0024537). Applicant respectfully disagrees that Jones anticipates at least the independent claims.

For example, claim 1, as amended, now recites “generating and transmitting customization offers regarding customer vehicle personalization and vehicle accessories.” Previously, this claim had recited “advertising materials” in place of the words customization. The Examiner alleged that Jones’s purported teaching of “service reminders” equated to advertising materials. Of course, such an interpretation entirely overlooks the modifiers “regarding customer vehicle personalization and vehicle accessories.”

Accordingly, while Applicant believes the rejection to be facially flawed, in the interest of furthering examination and without prejudice, “advertising materials” has been amended to “customization offers” to provide further clarity to the claim.

As noted in previous responses, however, Jones does not teach “advertising materials regarding customer vehicle personalization and vehicle accessories.” Nor does Jones teach the amended “customization offers regarding customer vehicle personalization and vehicle accessories.”

In light of the clarifying amendment to the independent claims, and because Jones does not anticipate the claims, as noted above, Applicant submits that claims 1, 26 and 28 are

allowable over the prior art of record. Claims 2-7, 9-10, 13, 15, 17-18, 27 and 29 should be allowable based at least on their dependency from allowable independent claims.

Claims 8, 11, 16 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones.

Applicant notes that no new art was cited in this portion of the Office Action, so claim 1, from which the rejected claims depend, is still allowable over the prior art of record, namely Jones, and claims 8, 11, 16 and 19 should similarly be allowable based at least on their dependency from allowable claim 1.

For at least the reasons presented herein, all claims are believed to be in condition for allowance. Favorable reconsideration and allowance are respectfully requested.

Respectfully submitted,
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Date: September 10, 2010

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